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‘Counterfeit Egyptians’: The construction and implementation of a criminal identity in early modern England

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Abstract: English law first began to mark out ‘Egyptians’ as a separate, criminalised group in the sixteenth century. This article examines how statute law constructed and implemented an Egyptian identity, and the effect this had on those prosecuted. A close reading of the four Tudor Egyptian statutes is provided, and relevant material from sixteenth- and seventeenth-century legal and judicial sources is compared to assess the implementation of the statutes. By focussing on the legal construction of the Egyptian identity, this article illuminates the ways in which the early modern state attempted to exert control over ‘Egyptians’. This was attempted through the application of loose definitions based around itinerancy and non-nativity that could be applied with great discretion. This ‘discretionary impulse’ connected the experience of ‘Egyptians’ with other travellers in the period, whilst enabling the agents of the State to exercise particularly close punishment and control. By examining a legally constructed identity, this article attempts to avoid reifying biases found in the traditional sources for Gypsy history in the period, and sheds light on the history of state-driven marginalisation and persecution.

Keywords: early modern, England, ‘Egyptians’, law, identity, counterfeiting

The first references to ‘Egyptians’ in English history come in the early sixteenth century, and show amicable meetings in royal courts (Crofton 1889:6-7). In the early 1520s, these ‘Egyptians’ are mentioned in local records, in similarly peaceful settings: in Gloucestershire in 1521 the crown disbursed to ‘certain Egiptions at Thornbury, 40*s*’ (Brewer 1867: 499). Later in the parish of Stratton, Cornwall, money flowed in the opposite direction, as the churchwardens received twenty pence ‘of the Egyppcions for the church house’ (Peacock 1880:198; Winstedt 1913-14). However, by 1531 all ‘outlandysshe People callynge themselfes Egyptians’ were ordered to be expelled from England on pain of imprisonment and forfeiture of goods (22 Henry VIII c. 11, ‘An act concnyng Egypsyans’ [Statutes of the Realm 1817:327]). Over the course of the next seventy years Tudor governments sought to ‘unburden’ England of the ‘false and subtile Companie of Vacaboundes calling themselves Egiptians’ (5 Elizabeth I c. 20, ‘An Acte for the Punishement of Vagabonds calling themselfes Egiptians’ [Statutes of the Realm 1819:448]) by banishing them from the realm, confiscating their goods, encouraging their settlement, and ultimately executing them.[1] This seventy-year period saw four separate statutes that addressed ‘Egyptians’, each using modified methods of identification and punishment. Elizabeth I’s 1598 act was the last to address ‘Egyptians’ until the eighteenth century (Mayall 1995:23-25). This article seeks to explain how Tudor governments came to assert control over ‘Egyptians’ through the construction and implementation of a criminal identity, and how this became the effective regulatory definition for nearly 150 years.

The term ‘Egyptian’ as it appears in the Tudor statutes invites a cautious approach to the history of people to which this label was applied. In the medieval and early modern

[1] The acts directly addressing ‘Egyptians’ are: 22 Henry VIII c. 11, ‘An act concnyng Egypsyans’ (Statutes of the Realm 1817:327); 1&2 Phillip & Mary c. 4, ‘An acte for the punishement of certayne Persons calling themselves Egiptians’ (Statutes of the Realm 1819: 242-43); 5 Elizabeth I c. 20, ‘An Acte for the Punishement of Vagabonds calling themselfes Egiptians’ (Statutes of the Realm 1819:448-449); and 39 Elizabeth c. 4, ‘An Acte for punishment of Rogues Vagabondes and Sturdy Beggars’ (Statutes of the Realm 1819:899-902).

periods, ‘Egyptians’ across the Ottoman Empire and continental Europe are said to have described themselves as ‘pilgrims’, wandering the earth as penance for sins in their homeland, either ‘Egypt’ or ‘Little Egypt’. In the fifteenth and sixteenth centuries, ‘Little Egypt’, or ‘Aegypta Minor’, was speculated to be in a number of places, from India to the Pelopennese in Greece (Eliav-Feldon 2012:124-125; Taylor 2014:26-27; Matras 2014:134-139). However, rather than being an accurate demonym reflecting geographical origins, the term Egyptian has been shown to have only been used as a self-descriptor when communicating with outsiders (Matras 2014:136-137). The Egyptian legislation alludes to this: the 1531 ‘Act concnyng Egypsyans’, applies to ‘outlandysshe people calling themselfes Egyptian’ (Statutes of the Realm 1817:327). The term is thus neither an endonym nor an exonym (Marushiakova and Popov 2013:62-63); that is, neither a term that ‘Egyptians’ used amongst themselves, nor one applied to them solely by an external group. Instead the word ‘Egyptian’ is somewhere in between these two categories, used only in self-presentation. Tapping into ideas about penance, pilgrimage and Christian history, the use of the term Egyptian as an outward-facing self-descriptor shows that ‘Gypsies were successful in presenting themselves in ways that were acceptable and explicable to late medieval audiences’ (Taylor 2014:44). When studying this word ‘Egyptian’ in its legislative context, we must remember that we are not studying any one group, but a view and construction of a particular group shaped by legislators and governors, themselves part of a wider hostile culture. The almost universally negative characteristics that laws, ordinances and directions ascribe are then by no means reflective of who these people were, and we would do well not to internalise and repeat them uncritically.

Why study identity?

A study of Tudor anti-Egyptian legislation is, broadly, a study of marginalisation, repression and persecution. The people that legislation was concerned with were those towards the

bottom of the contemporary social hierarchy. However, in utilising statutory and legal sources, this study is not what social historians term ‘history from below’. Rather, this is a study of the construction of identities and is therefore a study of representations. Unlike the (commendable) project of history from below, this paper does not seek to rescue any particular group ‘from the enormous condescension of posterity’ (Thompson 1968:12). It seeks to write the history of a way of representing people, of labelling. This is not to deny the great value of a traditional social-historical approach to early modern English ‘Egyptians’. Taking in the widest range of sources used to study Egyptians to date, David Cressy has recently taken such a social-historical approach to the history of Gypsies in early modern England (Cressy 2016). Such an endeavour is a very worthy project and helps to bring further attention to aspects of the past that have so far been ‘marginal at best’ (Lucassen 2005:225). However, when looking purely at the legal sources, particularly those produced for the purpose of identifying, regulating and prosecuting ‘Egyptians’, the task of understanding the history of Gypsies becomes very difficult. These sources, like the vast majority of sources that exist for the Tudor and Stuart periods, were generated as authorities came to define ‘Egyptians’ and deem them undesirable, or are literary sources engaged in defining, exposing and later romanticising them. These works were ‘put on paper by Gaje’, only some of whom wrote from first-hand experience (Acton 2004: 100; cf. Beier 1974:5). One widely-quoted source, Samuel Rid’s *The Art of Jugling or Legerdemaine* (1612), is even a plagiarized version of Reginal Scot’s sceptical witchcraft treatise, *The Discoverie of Witchcraft* (Eliav-Feldon 2009:280-281). Together they provide ‘an ideological grid that has been projected by, and thus deeply resembles, the dominant culture’ (Carroll 1996:71). We do not have the ego-documents and oral testimony available to historians of the more recent past, and it remains difficult to disentangle the prejudice of law enforcement from the self-definition of apprehended groups. Studying imposed identities, as *representations*, helps us to avoid

writing ‘as if some object or process, which exists only because it is perceived, had a real existence against which perception would be measured’ (Acton 1974:13). Therefore, we should not study Tudor governments’ representations of ‘Egyptians’ as reflections of ‘Gypsies’ as this would reify (profoundly prejudiced) constructions. Rather, we should view these statutes as instruments used during processes of definition – as people were defined as, or self-defined as ‘Egyptian’.

The salience of the constructed nature of the ‘Egyptian’ identity is clear from the statutes. Here an identity initially simply articulated as ‘outlandysshe people calling themselfes Egyptian’ in 1531 (Statutes of the Realm 1817:327) is mutated to ‘any suche persons calling themselfes or commonly called Egiptians’ in 1554 (Statutes of the Realm 1819:242). It then becomes the ‘false and subtile Company of Vacaboundes calling themselves Egiptians’ in 1563 (Statutes of the Realm 1819:448) and later ‘persons… wandering and p’tending themselves to be Egipcyans or wandering in the Habite Forme or Attyre of counterfayte Egipcians’ in 1598 (Statutes of the Realm 1819:899). What follows is then an attempt to trace these shifting and expanding definitions through theory and practice in sixteenth- and early seventeenth-century England.

Throughout history, Mayall argues, the question ‘Who are the Gypsies?’ has been posed. The various answers serve only to show that ‘they are and have been whoever people have wanted them to be’ (Mayall 2004:309), often the negation of the image the majority conjures of itself (Matras 2014:23). This article asks ‘who were the “Egyptians”’ *for the early modern State*? By asking this, it offers an alternative perspective on the changing Tudor State and its methods of definition and control. Here the definitions make explicit the ‘interest of the definer’ whilst opening up a more fractured and conflicted view of the defined (Acton 1974:23). In focussing on the *historical* identity of the ‘Egyptian’ as elucidated in the source material, it is hoped that stereotypes prevalent in contemporary and modern literature are not

reified, and that, through the examination of past constructions, some of the foundational concepts and prejudices used by authorities to define and implement identities are rendered legible.

Previous work on ‘Egyptians’ has drawn heavily upon literary sources, and has subsequently encountered difficulty with the ‘Egyptian’ identity. Works by Thomas Harman, Samuel Rid, Thomas Dekker and Andrew Boorde offer the most colourful and detailed descriptions of the group they all term ‘Egyptian’ (Harman 1573:A3v, Rid 1612:B1v, Dekker 1609:H1v, Boorde 1555:N2r), along with other epithets like ‘land-pirates’, ‘Moon-men’ and ‘tawny Moors’ bastards’ (Dekker 1609:H1r-H2v). These sources are however by no means dispassionate and objective studies, and neither do they claim to be. They are, in Mayall’s words, a ‘narrow source base of questionable merit and accuracy’ (1997:56). Harman’s explicit claim is that he writes so ‘the whole bodye of the Realme, may see and vnderstand their leud lyfe and pernitious practises’ (Harman 1573:B1r). Rid’s text is claimed to be an exercise in ‘detection’ and deciphering, and from his first page he describes his subjects as ‘pestiferous carbuncles’ (Rid 1612:B1r). Dekker too sees his work as ‘lancing… the pestilent sores of [the] Kingdom’ (Dekker 1609:A3r). This is a literature that in its representations of begging and social welfare, has been described as the ‘sixteenth-century equivalent to the supermarket tabloids of today’ (Carroll 1996:71).

Despite these obstacles, scholars have continued to engage with this material, as well they should. However, Paul Slack’s task of penetrating ‘the haze of rhetorical abuse’ surrounding vagabonds remains unfulfilled for ‘Egyptians’ (Slack 1987:50). Due to the paucity of documentary accounts of ‘Egyptian’ communities or customs, and the almost complete absence of any authored by ‘Egyptians’ themselves, previous historians have placed too great an emphasis on these polemical and motivated pieces of exoticist rogue literature. Gāmini Salgādo, in a chapter entitled ‘Minions of the Moon’ relies heavily on a romantic

interpretation of these sources which ultimately only echoes and reinterprets their prejudices. Salgādo uses Ben Jonson’s *Masque of the Gypsies Metamorphosed*, (which he acknowledges ‘was probably not based so much on first-hand experience’) to portray the ‘spectacular’ and ‘outlandish’ ‘offspring of Ptolemy’ who were ‘at once exotic and familiar’. Salgādo claims this image to be ‘in its essential details… confirmed by other historical records’ (Salgādo 1977:151). For Frank Aydelotte, the separateness of early modern ‘gypsies’ from other early modern ‘vagabonds’ is proven by the fact that the ‘rogues’ cant given by Harman is entirely distinct from Romany’ (Aydelotte 1913:18). Such uncritical attention to source material, maintains a discourse founded on separateness and a concept of a ‘folk’ which ‘remains unproved and, given the problems with sources, possibly unproveable’ (Mayall 1997:73).

Recent scholarship still sometimes uncritically addresses the corpus of ‘Egyptian’ rogue literature. Responses to this rogue literature have come from within the context of moral and emancipatory narratives that attempt to counter historical injustices endured by Roma (Matras 2004:208). Such narratives can however serve to reinforce difference and impose overly-prescriptive identity categories on groups, particularly when dealing in closed ethnic categorisations (Tremlett 2009:163). Paola Pugliatti’s recent essay is symptomatic of scholarship that treats those labelled ‘Egyptians’ sympathetically, yet ultimately reinforces exotic images of difference. Pugliatti argues that ‘indeed, they were vagrants by custom (and probably necessity), petty criminals by repute (and obviously, again, by necessity) and performers by talent’ (Pugliatti 2008:272; see also Cressy 2016:70). Not only does her description of ‘Gypsies’ rest on the classic traits identified in rogue literature – vagrancy, criminality and performance – but her parenthetical defences of her identified group reify the prejudices found in the contemporary literature in accepting, yet excusing, the charges against them (see also the similar critique of the prevailing historiography made in Eliav-Feldon 2009:282). Even distinguished social historian Christopher Hill uses overwhelmingly literary

primary source material for his chapter on ‘Gypsy Liberty’, drawing again on Rid, Dekker, and playwrights such as Thomas Middleton, as well as extending his brief study beyond the later seventeenth century through to the early nineteenth with generous quotation from Bunyan, Defoe and Clare. From these literary sources, Hill confidently asserts that whilst ‘trapped between the reformation and the poor law’, ‘Gypsies raised a standard of libertarianism’ (Hill 1996: 131-32).

These studies lack an adequate consideration of the problems posed by writing a history of a defined and marginalised group mainly through their caricatures in cheap and often sensationalist print. All of these studies avoid critically engaging with the concept of the ‘Egyptian’, and instead proceed backwards through time, from an *a priori* conception of what, most often, constitutes an author’s idea of a ‘Gypsy’. These conceptions, variously informed by nineteenth-century poetry and literature, contemporary prejudices or well-meaning political projects, implicate themselves in the same politics of definition (and therefore exclusion) that has marked out literature on ‘Egyptians’ since the sixteenth century. Thus, the historians become part of the very discourses they ought to be analysing. Much of the historical writing on ‘Egyptians’ is thus

> ‘a large part ... pure invention, much involves the casual repetition of stereotypes, and many writers simply take the subject matter as an opportunity to find an outlet for their own fantasies and imagination’ (Mayall 2004:39).

The project of writing a history of ‘the real everyday lives and aspirations of a real people’ must begin by stepping away from contemporary images and fantasies (Matras 2015:29). Furthermore, while David Cressy has recently argued that historians can now ‘read against the grain’, repurposing sources for ends other than that for which they were created (Cressy 2016:47), overcoming overwhelming source bias remains difficult. We can reappropriate, but

not replace the information contained in rogue literature, laws, and governmental correspondence, assembled as it was for the purposes of identification, detection and prosecution. Reports of ‘Egyptian’ behaviour give us a much more rounded view of what legislators, and the central and local agents of the State saw in the category of Egyptian than it does about people to whom it was applied.

To circumvent these difficulties, this article treats the term ‘Egyptian’ in the same way Paul Griffiths has treated ‘nightwalking’ – as a ‘flexible and convenient’ descriptive ‘label’ for what was constructed as a criminal act (Griffiths 1998:212). Unlike most work on Tudor and Stuart ‘Egyptians’, this study draws almost exclusively on legal and administrative sources to examine the construction of the criminalised ‘Egyptian’. This decision comes from the problems identified in the sources outlined above, as well as from a desire to retain some grip on the experience of those prosecuted, and to offer an account of the techniques of identification and repression utilized by the State.

‘Foreign origins’?: ‘outlandysshe people’, ‘pilgrims’ and aliens in the statutes of 1531 and 1554

The early history of the legal identification and regulation of ‘Egyptians’ is one of confusion and conflation. In the first two statutes designed to regulate Egyptians, Tudor legislators attempted to identify a definitive alien group that was subsequently criminalised. By invoking and bringing to the fore discourses around nativity, legislators did not create a purely ‘criminal’ identity, but one that allowed for tolerance and discretion, and ultimately one that central government could not control.

The initial statutory definition of an ‘Egyptian’ was vague. The statute of 1531 (22 Henry VIII c 10) was directed at simply ‘outlandysshe People callynge themselves Egyptians’, referred to later in the act solely as ‘the Egyptians’ (Statutes of the Realm

1817:327). They are described as ‘usyng no crafte nor faicte of marchaundyse’ to enter the realm, and in going ‘from Shire to Shire and Place to Place in greate company’ had ‘used greate subtyll and crafty meanes to deceive the people’ by telling ‘womens fortunes’ and performing ‘Palmestre’. They were also said to have ‘commytted many and haynous felonyes and robberies’. Left unexpanded, the ‘Egyptians’ of the first Henrician statute were vilified for their itinerancy and treated with suspicion with regards to their entry into England, but were only criminalised because of crimes they had supposedly committed. The logic of this statute was that ‘Egyptians’ had committed crimes that necessitated further legislation against them, beyond the current punitive measures for theft, deceit and ‘haynous felonyes’, *because of their foreign origins*. These foreign origins were self-evident for legislators, as ‘Egyptian’ was something this group called themselves. The provisions of the act allow for the confiscation of all goods and the banishment of all ‘Egyptians’ should they not voluntarily leave the country in sixteen days. The Egyptian identity constructed here rests on ‘outlandysshe’ origins, which ‘Egyptians’ truly articulate themselves, and an alleged group tendency towards criminality.

The primacy of foreign origins was then reinforced in Marian legislation. The Act of 1554 reiterated the previous statute and made clear that ‘Egyptians’ were not English. The Act speaks of how, despite the previous statute, ‘Egyptians’ have ‘enterprised to come over againe into this Realme’. The identity is again founded on difference from the native population, and the existence of the current ‘Egyptian’ population is explained by a new influx of people of foreign origins. However, there is frustration apparent in the terms of the provisions. Whereas the previous Act had made no attempt to describe or elucidate the category ‘Egyptian’ beyond a term used by a foreign group to self-define, this Act invokes a common conception, terming them ‘any suche psons calling themselfes or commonly called Egiptians’. Subjects are also entreated to behave in accordance with the ‘true meaning of this

Acte’ (Statutes of the Realm 1819:242). This is a tacit acknowledgement of the inexact definition found in the 1531 Act.

Neither of these two early statutes link the Egyptian identity to that of the vagabond or the rogue, and the construction of the ‘Egyptian’ remains defined by an outsider status that is the foundation for its peculiar criminality. Mark Netzloff has argued that the ‘Egyptians’ were ‘unique in early modern England’, being ‘a group at the center of both exceptional care and persecution’ and being ‘legally accepted as a distinct culture’ (Netzloff 2001:777-78). Whilst we might want to be more pessimistic about such ‘care’ and acceptance by the law, some respite from punishment was afforded ‘Egyptians’ through the patchy and inconsistent implementation of the early legislation resting on an identity built around ‘foreign origins’. These statutes categorised ‘Egyptians’ as ‘aliens’. As Laura Hunt Yungblut has shown, Tudor England was home to the ‘twin traditions of asylum and xenophobia’ which overlapped and interacted in a variety of social contexts (Yungblut 1996:2-3). Aliens, C.W. Chitty has shown, enjoyed a distinctly mixed reception. Whereas the streets of London were greatly disturbed in the Evil May Day Riots of 1517, and threats of violence against Huguenot artificers were not uncommon later in the sixteenth century, these instances were ruptures in an otherwise managed harmony between ‘aliens’ and ‘natural born’ subjects. Some corporations even actively requested immigrants be sent their admiration for their honesty, civility and godliness (Chitty 1966).

Defined as an ‘outlandysshe’ group, ‘Egyptians’ were subject to a managed legal response, despite being outlawed in statute. Official policy went so far as to recognise individual ‘Egyptians’ as the holders of authority over specific groups of people. In August 1530, the Corporation of Hereford recognised Anthony Stephen ‘of the countrey of lytyll Egipte as hedde and captayne of xix persons of men, women and chylderyn [who] named them selfes pilgrims’ (HMSO 1892:310). In June 1537, one Egyptian ‘governor’, Paul Fa, ‘a

native of Egypt in parts beyond sea, gentleman’ was pardoned for the murder of another ‘Egyptian’ named ‘Sacole Femine’. Fa and his ‘wandering associates’ were then ordered to leave England in fifteen days on punishment of their leader’s felony being brought to trial (Gairdner 1891:81). At Canterbury in 1539, ‘John Nany, knight, of Little Egypt, and his company’ were detained as ‘Egyptians’ and said to be ‘in [his] behalf’ (Gairdner and Brodie 1895:21). Similarly, in 1546 the Privy Council signed off a passport for ‘the Egyptians under Philip Cazar, their governor’ completing their deportation from London (Gairdner and Brodie 1908:46). Richard Pym and Becky Taylor have shown in early modern Spanish and wider European contexts that the use of familiar patriarchal and markers of authority may well have been an adaptive strategy, like the term Egyptian itself, offered to better ‘translate’ their social organisation to agents of the State (Taylor 2014:42; Pym 2007:4-6).

Such traces of an acknowledgement of internal self-governance for those deemed ‘Egyptian’ (Taylor 2014:51) demonstrate a much more circumscribed level of tolerance than that afforded to other non-native groups in the sixteenth century. Other groups were afforded some legal recognition of their alien status. In Elizabethan Norwich, all disputes within the Dutch and Walloon immigrant communities were to be settled by an elected arbitration committee composed of eight Dutchmen and four Walloons (Chitty 1966:134). The Henrician Egyptian statute explicitly forbade trials ‘*per medietatum linguae*’, the practice of using a jury comprised equally of the foreign party’s countrymen and English subjects. While the decision not to prosecute Paul Fa suggests an acknowledgement of a degree of internal self-government amongst ‘Egyptians’, this was much less than that afforded to other immigrant groups, themselves allowed freedoms including the rights to erect churches and appoint ministers (Cracknell 1959:21; Overend 1889:292).

The unwillingness of local officials to prosecute ‘Egyptians’ solely on the basis of their non-nativity illuminates a further problem with the statutory definition of ‘Egyptians’.

Being an alien was no crime in early modern England, as the presence of Huguenots, Walloons and the Dutch in the sixteenth century demonstrates. Central authorities regulated ‘alien’ status, but they could not universally criminalize it. The foundational discourse of the early Egyptian identity was then one of difference rather than pure criminality. This led to problems of implementation. Thomas Cromwell received letters from local officials seeking advice and clarification on the implementation of the 1531 statute. Local unease was also apparent in Hereford in the months before the Act’s passage. The mayor John Cantourcelly signed a certificate of gaol delivery for twenty pilgrims ‘of lytyll Egipte’ so as the gaoler might ‘use them after the Kynges commaundment’, despite at the time claiming that ‘in the seid citie [they] dydde no hurte as I can perceve as yet’ except for one unsubstantiated claim of the theft made against ‘certeyne of them’ (HMSO 1892:310). John Vernon, sheriff of Staffordshire, wrote at Candlemas 1539 that there were two ‘Egyptians’ in his custody and a rumoured ‘seven score more who “have robbed and spoiled,”’ in the county, yet he did not ‘know how to act’ (Gairdner and Brodie 1894:85). Similar advice was sought weeks later by John Hale of Canterbury, having apprehended a ‘company’ of Egyptians on Romney Marsh (Gairdner and Brodie 1895:21). The Justices of Bedfordshire at Dunstable had to be reminded by the Privy Council in 1552 that anti-Egyptian legislation ‘may be used according to the ordre of the lawe, and the countrie unburdened of them as sone as may be’ (Dasent 1892:18). The lack of clarity in the application of an alien identity as a criminal identity resulted in Cromwell writing in 1539 to ‘advertise of the sayings of the Egyptians’ with ‘special letters to be written for their apprehension and punishment’ (Gairdner and Brodie 1895:109), as well as ordering a commission investigate Egyptians in the West (Gairdner and Brodie 1895:175).

Further problems existed with gaoled alien-defined Egyptians, who ought, by the letter of the law and desire of the Privy Council, to have been deported. At Canterbury in 1546 officers were informed that the Council would rather gaolers ‘release [the Egyptians]

than detain their company longer; or else, if their offence was such that the law must be executed, to embark their company forthwith’ (Gairdner and Brodie 1908:217; cf. Dasent 1890:358). There is evidence that those taken as ‘Egyptians’ were aware of their precarious legal situation whilst in gaol (cf. Boes 2013:88; Taylor 2014:75). A group of ‘Egyptians’ imprisoned at the White Lion, Southwark, around 1560, petitioned Sir William More to secure their release. More, the one-time High Sheriff of Surrey and Sussex, was actively involved in local administration and was potentially sympathetic to their cause. Three letters in More’s papers show how he and his wife referred to their peripatetic lifestyle in Surrey and Sussex as ‘Egyptian’, and included ‘Egyptians’ in their entourage (Garnett 1576-87abc). The group imprisoned in the White Lion endured trying conditions, reporting that they were ‘lick to perrishe for defayet of sustenauncies’, and would soon would ‘not be able to ues our lymes to helpe ourselves wth all herafter yf we do lye here in this imprysoonment longe’ (Hyland 1920:346-47). They were ‘contented to part home into our contray’ and acknowledged that the law’s strict application would see them ‘contented to suffer deathe presently without Judgment yf that we do not streaghtways dep hence’ (Hyland 1920:346). Aware of the strictures of the law, the group were also aware of the dangers of the discretionary nature of the law’s application, fearing ‘the vexasion or dissturbaunce of any maner of pson wthin theasse peartes’ on their journey out of the realm (Hyland 1920:346). There is no evidence More assisted these prisoners, stuck as they were between a statute’s insistence on their criminality and law enforcement’s unease at its foundations.

In these examples, it is clear that the discourse of ‘foreign origins’ so prevalent in the early statutory definitions of ‘Egyptians’ was not sufficient to secure the kind of implementation that successive governments sought. By resting a definition of ‘Egyptians’ on their self-definition as foreign, Tudor legislators gave provincial law-enforcers an ambiguous message. The ‘foreign origin’ definition, combined with the welcome extended to other

foreign groups, confused local Justices who apprehended otherwise law-abiding ‘Egyptians’ and were unsure of how to prosecute. To counter this, Elizabethan governments introduced new legislation to criminalise behaviour rather than simply being.

Becoming counterfeit: the statutes of 1563 and 1598

The Elizabethan anti-Egyptian statutes marked a turning point in Tudor ‘attempts to categorize and classify’ (Hug 2009:17-18) ‘Egyptians’. Linking these changes to broader social policy, Tobias Hug argues that the Egyptian statutes of Elizabeth’s reign were a means of detecting ‘fraud and deception’ and reinforcing ‘social boundaries’ in non-alien society (Hug 2009:17-18). These relate to wider trends in Tudor policy towards the poor that sought to classify the indigent and expose ‘counterfeits’, who allegedly fraudulently sought sympathy and alms for invented ailments. As Paul Slack argues, this Tudor legislative programme redrew ‘social boundaries’, and ‘proper, respectable society’ became subject to new, tighter definitions (Slack 1988:24). Local and national governments cast relentlessly suspicious eyes over the all those unable or unwilling to take part in settled labour. The supposed proliferation of counterfeiters was thus countered by ‘the ideology of order and authority’ which ‘engaged in various futile efforts to recuperate a purity of signification’ (Carroll 1996:42).

The ‘Egyptian’ statutes that emerged as part of this governmental program thus differed from those that had come before. The Egyptian identity contained within them was expanded to explicitly include behaviour that was itself made illicit. Previous statutes had rested on self-definition and community recognition, being directed against those ‘callynge themselfes Egyptians’ (Statutes of the Realm 1817:327) and later those ‘commonly called Egipitans’ (Statutes of the Realm 1819:242). These crimes were created as crimes of social being. The Elizabethan statutes turned a personified crime, related to alien status, into one of behaviour and social status. Any essentialised notions of ‘Egyptians’ as a group were gone,

and legislation was aimed at a new marker of ‘Egyptian’ identity: supposedly ‘voluntarily vagrant status’ and a ‘set of customs and conventions that are consciously adopted, produced, and performed’ (Netzloff 2001:782). ‘Egyptians’ were previously described as a homogenous group, founded on a discourse of origins in previous statutes and other administrative sources, but under this legislation a way of life was attacked (Lucassen 2005:232). A group whose identity and treatment had been derived from ‘a mistrust of strangers’ found itself opened up to new desires ‘to punish and control the economically unproductive and masterless’ (Mayall 1997:58).

The cause of this change can be attributed to wider social and cultural changes in sixteenth-century England. The decline of feudalism and the rise of wage labour created uncertainty in contemporary hierarchies, spurring concern over the ‘moral, ideological and political danger’ that independent, mobile labourers posed (Mayall 1995:41). The first Elizabethan statute came at the start of a period when vagrancy became, as A.L. Beier has argued, ‘one of the most pressing social problems of the age’; the period 1560 to 1640 witnessed the high water mark of State action against vagabonds (Beier 1985:xix). Both economic and demographic pressures abetted this trend. After almost no population growth between the middle of the fourteenth and the first decades of the sixteenth century, England’s population doubled between 1520 and 1600, from two to four million. Population increase was not met with concomitant economic prosperity for the majority of the population, as real wages fell to about half their early sixteenth-century value across the century, leading to a significantly large number and proportion of people living in poverty by 1600 (McIntosh 2005:459-460). The ‘problem’ caused by ‘Egyptians’ would now be seen in this context, and itinerancy rather than outlandishness became legislators’ primary identifier.

The pursuance of mobile groups was also an act of self-definition through which European states delimited their ‘territorial and moral-cultural national boundaries’ (Acton

1994:26). Across Europe, States defined themselves against ‘foreigners and heretics’, and in England, capitalist agriculture came to be defined against, and as a solution to, vagrancy and unemployment (Acton 2004:106; Thirsk 1978). As fears about mobility grew so did concomitant fears over dissimulation, disguise and fraud: a general rise in the numbers of mobile and seemingly masterless people pushed questions of how to distinguish between a true beggar and a fraud, the deserving from the undeserving, and the idle from the incapable, to the fore. Cultural pressures mounted, as across Europe increasing social mobility and the widening availability of consumer goods previously seen as markers of distinction undermined traditional, and therefore ‘natural’, social hierarchies (Rublack 2010). The mid-sixteenth century was then a period in which concerns about rising levels of itinerancy and perceived levels of dissimulation reached their peak; it was, as Miriam Eliav-Feldon has argued, a particularly bad time to be seen to have uncertain origins or fall outside of traditional categories (Eliav-Feldon 2012:136). Such difference was interpreted as ‘actively undermining the power of the state’ (Taylor 2014:58). Politically, culturally and economically the Elizabethan Acts passed in this social and cultural context sought to punish a group that troubled ‘shaky categories of Gypsy and Englishman, Jew and Christian, strange and homegrown, counterfeit and real’ (Iyengar 2005:180).

Elizabethan legislators then expanded their definition of ‘Egyptians’, retaining a notion of foreignness, yet adding to that the image of the vagrant. To borrow from Foucault, this was a shift that saw ‘techniques of power exercised’ over itinerancy, not by obeying ‘a principle of rigorous selection, but rather one of dissemination and implantation of polymorphous’ *identities* (Foucault 1990:12).[2] The expansion of the Egyptian identity in the Elizabethan acts was part of a wider trend in later sixteenth-century social policy that saw a profusion of categories imposed upon the mobile and the poor, as legislators created,

[2] Foucault writes of sexualities, rather than identities.

reinforced and ascribed social identities (Hindle 2006:231-231). Indeed, such was the desire to define types of people and activity as ‘vagrant’ that by the mid-seventeenth century there was ‘general confusion’ in legislation, and consternation among legislators, over who was to be classed as a vagrant (Hitchcock 2016:4; Beier 1985), with Keith Snell able to count an inexhaustive list of at least twenty-three different activities that could result in prosecution as a vagrant (Snell 2006:137). Steve Hindle has argued that Elizabethan welfare legislation ‘put the poor firmly in their place’ (Hindle 2011:307). The following section shows how Elizabeth’s Egyptian legislation provided local justices with the apparatus with which to do such placing.

The first of the Elizabethan statutes targeting ‘Egyptians’ proceeds from dissatisfaction with the implementation of the previous Act. In this new 1563 Act, failures are acknowledged and a newly identified ‘Egyptian’ is identified to complement those that have gone before it – the ‘counterfeit’. The ‘counterfeit Egyptian’ was a member of ‘that false and subtile Companie of Vacabondes calling themselves Egiptians’. ‘Scruple and doubt’ had arisen over whether people ‘borne wthin this Realme of Englande or other the Quenes Highnes Dominions’ could be or become part of the ‘Fellowship or Companie of the said Vagaboundes’ punishable under the Henrician and Marian acts ‘in like maner as others of that sort are, being Strangers borne and transported into this Realme of Englande’. The Statute’s definitive answer to whether this was possible was ‘yes’. All those ‘disguising themselves by their Apparell Speache or other Behavour like unto suche Vagaboundes commonly called or calling themselves Egiptians’ for any period of time spread across one month, were to be ‘judged a Felon’ and ‘therefore suffer Paynes of Deathe Losse of Landes and Gooddes’ in the manner of other felonies (Statutes of the Realm 1819:448). In the years before the act was passed, the Privy Council was aware of the increasingly blurred boundary between ‘natural born subjects’ and ‘outlandish’ Egyptians. In 1559, the Privy Council

ordered the exemplary punishment of adult male ‘Egyptians’ in Dorset, but was content to allow local judicial discretion to determine the punishment of ‘such as very lately have come to this trade of lyfe and shall apper to have bene ignorant of ye lawes in this behalf provided’. The Council was keen to emphasise that such leniency would not be repeated, and ordered that ‘no favour otherwise than the law permitteth may be showed’ to felons or repeat offenders (Privy Council 1559:69v). In 1560, Yorkshire Justices warned the Council that ‘idle persons, the Queens natural born subjects, and some of them descended of good parentage, as we be credibly informed by some of their friends’ were engaging in such counterfeiting (Jones 1882:227). Subsequently, the Act made *behaving like* an ‘Egyptian’ just as much a crime as *being* an ‘Egyptian’. ‘Egyptians’ went from being a self-defined non-native group to being frauds, and ‘a social problem putting on exotic airs’ (Acton 2004:106).

Legislation in 1598 essentially reiterated the provisions of the 1563 Act, but set the ‘Egyptian’ in a different context. By 1569 Elizabeth and her Privy Councillors had grown impatient what they saw as the ‘universal negligent and wilful permission of vagabonds and sundry beggars commonly called rogues and in some parts Egyptians’ (Privy Council 1569). In the 1598 Act, the categories of ‘Egyptian’ and ‘vagabond’ were articulated together. It made provisions for ‘Egyptians’, ‘Rogues, Vagabonds and Sturdy Beggars’, and again made provision for counterfeiters. ‘Felons wandering and ptending themselves to be Egipcyians’, were to be prosecuted, as well as those ‘wandering in the Habite Forme or Attyre of counterfayte Egipcians’. The distinction between pretending to be ‘Egyptian’ and wandering in the form of ‘counterfeit Egyptians’ is the final semantic shift, stripping the originally defined group of a specific geographical label. All ‘alien’ wanderers are now said to be ‘ptending themselves to be Egipcyans’ and those deemed to be imitating them are now, in the final analysis, double counterfeiters (Statutes of the Realm 1819:899-902). The Egyptian identity after 1598 is always a deceitful imposture, and no punitive distinction is drawn

between the ‘natural subject’ and the alien. The identity that the previous three statutes had attempted to create and police, founded on ‘foreign origins’ and behaviour, and that included a tacit acknowledgement of a potentially authentic ‘Egyptian’ was now superseded by an insistence that there were two types of ‘Egyptian’, the ‘counterfeit Egyptian’ (someone utterly delegitimized, cast as deceitful and falsely claiming origins [Cressy 2016:57]), and those pretending to be a ‘counterfeit Egyptian’ (themselves aping the ‘counterfeits’). Any semblance of the ‘care’ that Netzloff identified as characterising parts of ‘Egyptian’ policy was now gone in the law as written.

A complex method of control was then established over two groups who were previously kept separate: vagrants and ‘Egyptians’. With the category now so widely expanded, a wide range of itinerants could now be potentially prosecuted as ‘Egyptians’. The law provided an instrument through which all those deemed to be associated with ‘Egyptians’ faced the death penalty. Parallel to this, vagrancy legislation promised corporal punishment for itinerants deemed ‘native’. This bundle of related legislation gave local law enforcers a set of identities they might selectively apply to all manner of vagrants. By conflating vagrants and ‘Egyptians’, the law now enabled local Justices to choose how to punish anyone caught wandering, either by whipping as a vagrant or hanging as an ‘Egyptian’. The local implementation of the vagrancy and anti-Egyptian laws reveals the application of an implicit hierarchy of offending that informed Justices’ discretionary definitions and enforcement of the law. Elsewhere, David Hitchcock has identified a ‘typology of travellers’ that was applied, with a heavy dose of discretion, to poor migrants in the later-seventeenth century (Hitchcock 2012). The calculation of a variously counterfeited ‘Egyptian’ identity fits with this history of early modern classificatory encounters between mobile people and the embodiment of the law.

The embodiment of the law is crucial. Early modern justice was far from regular and schematic, and was delivered with as much reference to a communal sense of moral justice as it was to formalities and procedure (Herrup 1989 [1987]:5). Discretion was particularly crucial in the apprehension and capture of offenders, before formal legal processes were initiated (Braddick 2000:138). Once proceedings were started, discretion and negotiation were key to a legal system that was to a large degree conciliatory and aimed at communal harmony (Muldrew 2000: 171). As a felony, consorting with, counterfeiting or being an Egyptian carried the heaviest punishment: forfeiture of goods and execution. However, local officials worked around these draconian punishments, utilising a range of flexible identities to at times permit and at other times make examples of offenders. Vagrancy statutes were particularly flexibly interpreted, allowing for large amounts of discretion in the provincial enforcement of the law (Slack 1987:52). The later ‘Egyptian’ statutes are a prime example of later-Elizabethan social policy which enshrined a ‘powerful discretionary impulse’ in law (Hindle 2004:21). This reached its apotheosis in the universal and ‘highly discretionary’ poor relief system established in 1598, that also urged ‘conformity to… behavioural expectations’ and itself was ‘an instrument of discipline’ (Wrightson 2002:218).

This ‘discretionary impulse’ in early modern law should not however be viewed as particularly palliative. The law provided Justices with the ability to prosecute ‘Egyptians’ for the lesser offence of vagrancy, but also provided a space for the self-defining ‘Egyptian’ to renounce their own identity. Here, the ‘Egyptian’ and vagrancy laws together offered those apprehended as ‘Egyptian’ a choice between two evils. One was the continued articulation of an ‘Egyptian’ identity and the risk of execution, and the other was to escape with a whipping whilst renouncing the ‘Egyptian’ identity. If afforded a chance to choose, those apprehended as ‘Egyptians’ were caught between the Scylla and Charybdis of the ‘Egyptian’ and vagrant labels. Together the laws operated coercively, to direct all those apprehended as ‘Egyptian’

towards a national-economic ideal of settled labour and a renunciation of the category of Egyptian, through death or repentance.

Assize materials relating to the prosecution of ‘Egyptians’, reveal the operation of this discretionary and controlling approach to applying statutory identities. Loomba and Burton argue that the ‘Egyptian’ identity elaborated in the Elizabethan statutes, was ‘legally predicated on a porous barrier between “Englishness” and “Egyptian-ness,”’ which in practice became ‘absolute’ as offenders forfeited ‘the rights of English subjects’ (Loomba and Burton 2007:25). They articulate the precise statutory definition that equates an individual’s assumption of an alien identity with the forfeiture of the rights of a natural subject. The multiple categories established in the statutes were however opportunities for local officials to exercise discretion as a means of social control. The possibility of the discretionary commutation of an indictment from a charge of being a ‘counterfeit Egyptian’ down to being a ‘rogue’ or ‘vagabond’ delegitimized ‘Egyptian’-ness. Those who in previous acts might self-define as ‘Egyptian’ were offered the opportunity to renounce an identity or face the death penalty.

The discretionary impulse is recognizable in October 1655, at sessions held at Hertford. Under the Elizabethan statutes, ‘George Brugman late of Little Malvern, co. Worcester (where he has a dwelling house as he declares), Henry Hall, born at Farifield, co. Derby, and Edward Morrell, William Morrell and Alexander Morrell, born at Calne, co. Wilts, were taken as “Egyptians”’. In Loomba and Burton’s scenario we would expect these men to be hung as felons, yet their English local identities are retained in their indictments. This is crucial, as they were ‘sent to the House of Correction at Hertford’ and ‘ordered to ‘be “well whipped,” and afterwards sent by pass to the several places aforesaid’ (Le Hardy 1928:471). Despite being taken as ‘Egyptians’, they were sentenced in the manner of vagabonds. A similar case occurred in Middlesex in 1653, where nine individuals were

indicted ‘for being counterfeit Egyptians’, yet in the trial were ‘found “Not Guilty” of counterfeiting themselves Egyptians, but “Guilty” of being vagabonds’ and were therefore ‘whipped and returned to their respective places of birth’ (Jeaffreson 1888:289). Three *London* yeomen, William Standley, Francis Brewerton and John Weekes were found consorting with, and calling themselves ‘Egyptians’ at Hounslow in April 1594. They pleaded ‘guilty’ to the charge, and were sentenced according to the statute, to hang (Jeaffreson 1886:221). However, they were pardoned ‘for counterfeiting themselves Egyptians, contrary to the statute’ by Elizabeth four months later, and were spared death (Green 1867:536-554). In these examples, Egyptian legislation was selectively applied to emphasise otherness. Had the law been fully applied, each of these men would have hanged. In each example, the accused’s place of nativity was invoked. Each time that place was in England, and the accused was spared death. This reinforced the assertion that being ‘Egyptian’ was separate from being a natural born subject, and revealed the Egyptian identity as ‘counterfeit’.

The clearest example of the calculated exercise of discretion as social control was at the spectacular and exemplary trials of members of ‘Egyptian’ bands found in Herefordshire in 1573. Assize Justices here were ‘advertised of certein assemblies and cumpanies of lewd persons calling them selfes Egiptians in that countie’. They were ordered to ‘trye and execute acording to lawe the principall heddes and ringleaders for terrour and example’, whilst proceeding against the rest in ‘moderacion’ ‘as rogues’ who were to be sent ‘home into their cuntreis’ (Dasent 1894a:viii 116). Similarly, in 1576, ‘certen lewde vagabundes, men and women, namyng themselfes Egiptians’ were captured in Berkshire. Again the Privy Council ordered the exemplary punishment of some as ‘Egyptians’. Orders were given ‘to release them all, savinge only tenne of the chefest, of whom example is to be made, and the rest to be used as apperteyneth to roges and vagabundes’ (Dasent 1894b:304-5). Likewise when 196

‘Egyptians’ heard that 106 of their number ‘should receive pains of death, according to the provisions of the ... Statute’ at York in May 1596 the ‘terror whereof so much appalled the residue of the condemned persons and their children which stood to behold the miserable end of their parents, did then cry out so piteously as had been seldom seen or heard’ (Jones 1882:228). The Justices in attendance then offered some reprieve, giving ‘order and direction to the said offenders to reform their lives, and to be placed where they were born, and last dwelled by the space of three years; then to demean themselves in some honest faculty’ (Jones 1882:228).

In these situations the articulation of the statutory Egyptian identity is at its most overtly controlling. As the condemned could have been any of the ‘lewd persons calling them selfes Egiptians’, each witness to the spectacle of execution is urged to reform and is forced to evaluate their own identity and position as a member of an itinerant group, running the risk of being identified as, and tried as, ‘Egyptian’. To proceed against some in ‘moderacion... as rogues’ in 1573 meant punishing them under the 1572 Vagrancy Act (14 Elizabeth I, c 5), boring their right ears with a hot poker (Statutes of the Realm 1817:591). This served to help permanently mark rogues as undeserving poor, distinguishing them from licensed beggars, and ending their ability to ‘counterfeit’, with the truth of the law now inscribed on their body (Carroll 1996:44). The law offered a choice to the accused: embrace a settled, *English* identity, permanently marked on the body, or risk being tried not only as an itinerant, but as an alien itinerant, an ‘Egyptian’, and executed.

Reflecting on the implementation of Egyptian legislation in the first half of the seventeenth century, jurist Matthew Hale remarked that he had ‘not known these statutes much put in execution’, except having witnessed thirteen people ‘condemned and executed for this offense’ at Bury (Hale 1800:670). Becky Taylor has shown that across Europe, the ‘patchwork’ of local institutions, officeholders and agents that made up the early modern

State left much ground to be covered by few enforcers of the law, thus creating significant space outside the law, which Gypsies could exist in and exploit (Taylor 2014:65-86). The relatively few examples cited above are in one sense testament to this. But as the dissonance between the laxity and brutality observed by Hale shows, from a different perspective we see the stark choices and continual threat of violence that hung over all those who could be identified as ‘Egyptian’. We should not read the execution of those in Herefordshire, Berkshire, York or Bury solely as moments of brutality amidst a period of laxity; but rather, as emblematic of a policy of continual coercion through infrequent, exemplary and spectacular punishment.

Boundaries proliferated in early modern Europe. Perhaps counterintuitively, such boundaries between places, peoples and identities were characterised by porosity, and were sustained and performed by facilitating transgressions as much as forbidding them (Betteridge 2007; see also Taylor 2014:45). The history of Egyptian legislation shines further light on such boundaries in early modern England. Seen in the context of a social welfare system that required ‘hard lines to be drawn between insiders and strangers’ (Feldman 2003:79), Egyptian legislation can be seen to have functioned as an ultimate set of directions which local officials could choose to offer those they classed as Egyptians, with settlement on one side of this boundary, and execution on the other.

Evidence in other European contexts shows that there was likely a significant degree of co-habitation and tacit toleration from early modern subjects towards Gypsies and other travelling groups (Boes 2013:76; Taylor 2014:80). David Cressy has recently demonstrated a degree of peaceful coexistence in early modern England (Cressy 2016:46). Indeed, across the seventeenth century, parochial sources from the midlands record charitable payments made to ‘Jepses’ (Taylor 2014:83). Such examples remind us that Egyptian legislation was neither uniformly nor universally applied, and emphasise the discretionary nature of legal power in

the period and the unique breadth and severity of options that local officials were presented with when dealing with ‘Egyptians’.

The Elizabethan statutes can be seen as an attempt to pry apart coexisting and at time convergent ‘Egyptians’ and Englishmen, creating and enforcing boundaries that legislators were profoundly uncomfortable were being crossed. By understanding how, and against whom, this legislation was enforced, we can plot some of the routes through the law taken by local officers, recognising the signs legislators established to be used to determine Egyptians’ supposed criminality, and how local justices chose to interpret, and sometimes ignore them.

Conclusion

Statutory Egyptian identities were built around two images, that of the alien and that of the vagrant. It was not until these two discourses were simultaneously and explicitly articulated in Elizabeth’s reign that any sort of control could be exercised over ‘Egyptians’. The initial statutory identity of the Egyptian-alien, and the drastic punishments specified, resulted in the confused application of the law by local Justices. Linking the ‘Egyptian’ to the vagrant in subsequent statutes enabled local law enforcers to continue to discipline people, but now to discipline identities too. To do this, legislators de-legitimized the notion of ‘Egyptians’ altogether. No longer just undesirable foreigners, they were now manipulative fraudsters. Early modern fears about falsity and deceit, bound up with contemporary economic change and religious troubles amplified the seriousness of this manipulation. ‘Egyptian’ and vagrancy legislation could then be used to coerce identities onto individuals, by reason of their perceived ‘alien’ origins or imposture, and their willingness to recant. Rather than solely persecuting any particular ethnic group, ‘Egyptian’ laws utilized the flexible foundations of what we now might term ethnicity, cultural practice and origin to enforce an image of ‘Englishness’ that was amenable to the needs of government and of agricultural labour, and that excluded alternative identities.

The laws provided punishment for all itinerants, but reserved special measures and practices for those who would not conform to a ‘national’ and economic ideal of settlement and labour. The choice to prosecute some people as vagrants and others as ‘Egyptians’ ultimately came down to the individual, local agents of the law. Those ‘Egyptians’, ‘counterfeit’ or otherwise, who refused to conform to the punitive settlement measures and labour-punishments resulting from the application of vagrancy statutes ran the risk of being punished under Egyptian legislation which would mark them out as outsiders (Mayall 1997:58). The harshest punishment was reserved for those who would not conform, and for this they could be executed, excluded as a foreign vagrant, ‘other’ and not part of any incipient English nation; an ‘Egyptian’.

This article opened with a plea to avoid the uncritical linkage of the history of sixteenth- and seventeenth-century statutory ‘Egyptian’ directly to that of contemporary Gypsy, Traveller and Romani groups. It is hoped that the reasons for this plea are now clear: the term ‘Egyptian’ was variously, and poorly, defined in law, and used as a legal category with which to empower local legal power brokers to threaten and punish a multitude of itinerant groups. Undoubtedly these laws would have had a disproportionately large impact on those who self-defined as Egyptians. However, we must remain sceptical even to these self-definitions, as they were frequently elicited through state-directed interpellations (Althusser 1971 [1970]). In law, to be an ‘Egyptian’ was to be a specific kind of alien vagrant, which we must find ways to go beyond if we are to write a history of Gypsies rather than ‘Egyptians’. Here we can echo Paul Slack’s conclusions about paupers and delinquents: the system made ‘Egyptians’ insofar as it created and sustained a criminal category (Slack 1988:107). The ‘Egyptian’ Acts tell us most about the Tudor fixation on identity, settlement and labour discipline. Read one way, rather than revealing the history of a group we can call

‘Egyptians’, a study of the Acts shows the shadow history of the governmental fantasy of the ‘natural born subject’.

NOTES

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